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7 Attorney for Tabien Elijah Burton

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 TABIEN ELIJAH BURTON,

15 Defendant.

Case No. 2:22-mj-00119-DJA

16
17 **ORDER TO CONTINUE**
18 **BENCH TRIAL**
19 **(Sixth Request)**

20 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
21 United States Attorney, and Imani Dixon, Assistant United States Attorney, counsel for the
22 United States of America, and Rene L. Valladares, Federal Public Defender, and Navid Afshar,
23 Assistant Federal Public Defender, counsel for Tabien Elijah Burton, that the bench trial
24 currently scheduled on April 12, 2023, be vacated and continued to a date and time convenient
25 to the Court, but no sooner than sixty (60) days.

26 This Stipulation is entered into for the following reasons:

1. Counsel for the defendant and the government have been in negotiations to
resolve this matter.

2. Counsel for the government has requested additional information that counsel for defendant has attempted to procure. He needs additional time to obtain this information which may obviate the need for a trial.

3. Based on communication issues, counsel only received this material recently. The government needs time to review and determine whether the parties can resolve the matter or if a trial will be necessary.

4. Counsel does not anticipate any further continuance requests barring unforeseen circumstances.

5. The defendant is not in custody and agrees with the need for the continuance.

6. The parties agree to the continuance.

7. Counsel does not anticipate any further continuances.

8. The parties are asking for 60 days because counsel for the government will be out of the jurisdiction May 8 – 19, 2023 and counsel for the defendant has a jury trial that is proceeding May 8, 2023. Additionally, as the parties do not anticipate any further continuances, if this matter does not resolve, the parties will proceed to trial. The additional time would be to ensure both parties can conduct a trial without scheduling issues.

This is the sixth request for a continuance of the bench trial.

DATED this 7th day of April, 2023.

RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

By /s/ Navid Afshar
NAVID AFSHAR
Assistant Federal Public Defender

By /s/ Imani Dixon
IMANI DIXON
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

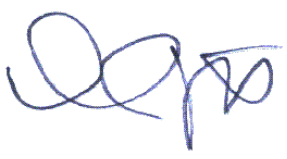
3 UNITED STATES OF AMERICA,
4 Plaintiff,
5 v.
6 TABIEN ELIJAH BURTON,
7 Defendant.
8

Case No. 2:22-mj-00119-DJA

ORDER

9
10 IT IS THEREFORE ORDERED that the bench trial currently scheduled for
11 Wednesday, April 12, 2023, at 9:00 a.m., be vacated and continued to
12 June 21, 2023, at 9:00 a.m., Courtroom 3A.

13 DATED this 10th day of April, 2023.



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16 DANIEL J. ALBREGTS
17 United States Magistrate Judge
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